

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS

THOMAS EARL BYRD, JR.,

Plaintiff,

v.

LOUIS SHICKER,

Defendant.

Case No. 13-cv-1092-JPG-PMF

MEMORANDUM AND ORDER

This matter comes before the Court on the Report and Recommendation (“Report”) (Doc. 39) of Magistrate Judge Philip M. Frazier recommending that the Court deny plaintiff Thomas Earl Byrd, Jr.’s motion for a preliminary injunction (Doc. 18). Byrd has filed an objection to the Report (Doc. 41).

The Court may accept, reject or modify, in whole or in part, the findings or recommendations of the magistrate judge in a report and recommendation. Fed. R. Civ. P. 72(b)(3). The Court must review *de novo* the portions of the report to which objections are made. *Id.* “If no objection or only partial objection is made, the district court judge reviews those unobjected portions for clear error.” *Johnson v. Zema Sys. Corp.*, 170 F.3d 734, 739 (7th Cir. 1999). A party must raise *specific* objections to the report and recommendation. Fed. R. Civ. P. 72(b). However, the party need only specify the issues for which review is sought, not the factual or legal basis of his objection. *Johnson*, 170 F.3d at 741. Nevertheless, a general objection to the magistrate judge’s decision, without more, does not satisfy this standard. *Id.* (citing *Howard v. Secretary of Health & Human Servs.*, 932 F.2d 505 (6th Cir. 1991) (finding insufficient an objection stating “[p]laintiff now specifically objects to the determination of the Magistrate denying Plaintiff’s request for relief”).

Byrd has filed an objection to the Report, which states, in total, “Now comes the Plaintiff in a Pro se motion objection to the courts [sic] ruling on R&R.” This objection does not specify the issues for which review is sought and therefore does not satisfy the specificity requirements of Rule 72(b). Therefore, the Court reviews the Report for clear error; it finds none.

Even if the Court were to review the matter *de novo*, Magistrate Judge Frazier was correct in his conclusions for the reasons set forth in the Report.

For these reasons, the Court hereby:

- **ADOPTS** the Report in its entirety (Doc. 39); and
- **DENIES** Byrd’s motion for a preliminary injunction (Doc. 18).

IT IS SO ORDERED.

DATED: July 14, 2014

s/J. Phil Gilbert
J. PHIL GILBERT
DISTRICT JUDGE